

The question was then put on the adoption of the substitute,

Determined in the negative.

The question then recurred upon the amendment as proposed by Mr. Merrick,

Resolved in the affirmative.

Mr. Merrick moved to amend said bill by inserting as the 4th and 5th sections of the bill the following,

Sec. 4th. And be it enacted, that the President and Directors of said Bank, be, and they are hereby appointed commissioners under the direction of a majority of whom subscriptions may be received to the capital stock of the Western Bank, hereby incorporated; and they, or a majority of them, shall cause books to be opened at such times in the city of Baltimore, and 'such other places' as they may direct, for the purpose of receiving subscriptions to the capital stock of said Bank, after giving at least four weeks notice in all the daily newspapers published in the city of Baltimore, and in such other newspapers as they may think proper, of such times, places and purpose. That upon the first opening of said books they shall be kept open from day to day, for six days exclusive of Sunday, from ten o'clock, A. M. until two o'clock, P. M. and if at the expiration of that period, subscriptions to the said capital stock shall not have been obtained to the amount of twenty thousand shares, the said commissioners or a majority of them, may cause the said books to be opened from time to time, after the expiration of said six days, upon again giving the notice herein before required, for the space of twelve months thereafter, unless the said amount be sooner subscribed; and if that amount of shares shall not be subscribed before the expiration of said twelve months, this act, and all subscriptions under it, shall be null and void; and if any of the said commissioners shall die, resign or refuse to act, the duties devolved on them being unfinished, another shall be appointed in his stead by those who shall continue to act, or a majority of them.

Sec. 5. And be it enacted, that if a greater number of shares shall be subscribed to the capital stock of said Bank than is authorised by this act, the said President and Directors, as commissioners, or a majority of them, may reduce the subscription in such manner as they shall deem equitable, but without reducing any subscription which may be made thereto by the Treasurer of the Western Shore of Maryland as Trustee, or on behalf of this State; and in case